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IN THE U.S. PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

APPLICANTS: Peter Dam Nielsen

SERIAL NO.: 10/663,477 FILING DATE: September 15, 2003

EXAMINER: Radtke, Mark A. ART UNIT: 2165

ATTORNEY'S DOCKET NO.: 857.0017.U1(US)

TITLE: MODIFYING A DATABASE COMPRISING IMAGE FIELDS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

Interview Summary

This paper is herewith filed in response to the Interview Summary mailed on January 28, 2009, for the above-captioned U.S. Patent Application. This paper is deemed to be filed within the shortened statutory period and no petition or fee for an extension of time is required. However, should the undersigned attorney be mistaken, please consider this a petition for any extension of time that may be required to maintain the pendency of this Patent Application, and charge deposit account no.: 50-0510 for any required fee deficiency.

Interview Summary

A telephone interview was conducted between U.S.P.T.O. patent examiner Mark Radtke and Applicant's representative Walter Malinowski on January 23 2009. Prior to the telephone interview, Applicant's representative had sent a telephone interview agenda in which the following claim 20 formed the basis of January 23 2009's discussion:

A computer readable medium encoded with a computer program comprising: program instructions for controlling an electronic device, the electronic device having a digital camera and a user input device, which program instructions when loaded into a processor, provide: a database software application; a camera control software application that is separate from the database software application; and an image viewing software application that is separate from the camera control software application and the database software application, wherein the database software application provides a user interface that enables a user to access personal data organized as a plurality of contacts entries in a database, where each contacts entry is associated with a different person and has one or more alphanumeric text fields and an image field and wherein the camera control software application provides for taking a picture and then assigning the picture from a camera menu instead of from a phonebook menu, the camera control software application providing ~~provides~~ a user interface that enables the user to control the electronic device using the user input device for displaying the camera menu to capture an image via the digital camera and immediately and automatically presenting ~~presents~~ a user selectable option through the camera menu, on capturing an image, for entering the database software application while remaining in the camera menu and using the captured image as an image field of a contacts entry of the database, and presenting a user selectable option to access the captured image through the image viewing software application.

The patent examiner mentioned that the claim seemed to represent progress. He advised to provide more interrelating of the camera menu to the camera control software application and the phonebook menu to the database software application. He also advised ensuring compliance of the claims with respect to In re Bilski. Furthermore, he suggested expansion of the arguments as to the unobviousness of "immediately" and as to

the lack of disclosure in Issue 4EN of **“taking a picture and then assigning the picture from a camera menu instead of from a phonebook menu.”**

Applicant’s representative has modified the amended claim set and the arguments in the telephone interview agenda in accordance with the patent examiner’s recommendations.

As to the concern by the Examiner that “the terms are not mere non-functional descriptive material,” the following subject matter (or similar) has been added to the independent claims: “wherein functionality of the camera menu is provided by the camera control software application and wherein functionality of the phonebook menu is provided by the database software application.”

Regarding the reference to the middle of page 9, lines 19-22, of the telephone interview agenda provided to the Examiner before the telephone interview, the text in question is provided immediately below:

As to the recognized deficiency of Issue 4EN in not explicitly teaching “immediately” presenting an option to use the captured image as an image field of a contacts entry of the database, Applicant does not agree that it would have been obvious to provide for this feature in light of Issue 4EN.

Column 6, lines 6-10, of Applicant’s application discloses as follows:

The camera control application therefore immediately presents a plurality of user selectable options, on capturing an image, including an option for using the captured image as an image field of an entry of the database (the ‘add to phonebook’ option). The presentation is immediate in the sense that it is automatic (it does not require further user action) and fast (without a significant delay).

As to the meaning of “immediately,” Applicant asserts that this term is clear and adequately described, especially in the passage above where it is discloses that “the presentation is immediate in the sense that it is automatic (it does not require further user action) and fast (without a significant delay).”

Serial No.: 10/663,477
Our Ref: 857.0017.U1(US)

Interview Summary

Respectfully submitted:



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January 31, 2009

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

2-2-2009

Date

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